

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

_____)	
CORY S. MEISTER,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-0295
)	
NEXTEL RETAIL STORES, LLC,)	
)	
Defendant.)	
_____)	

ORDER

This matter comes before the Court on Defendant's Motion to Dismiss Count II of Plaintiff's Complaint. It appearing to the Court that Count II of Plaintiff's Complaint "state[s] a claim upon which relief may be granted," Fed. R. Civ. P. 12(b)(6), it is hereby

ORDERED that Defendant's Motion to Dismiss Count II of Plaintiff's Complaint is DENIED.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
May 12, 2006